

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA
TULSA DIVISION

F I L E D

DEC 22 2008

Phil Lombardi, Clerk
U.S. DISTRICT COURT

JACK DUBBS, Individually, and)
and JACK DUBBS as Father and Next)
Friend of TIFFANI DUBBS, a minor, et al,)
Plaintiffs.)
vs.)
HEAD START, INC., an Oklahoma)
Corporation, et al,)

Case No. 99-CV-0732-K (E)

**DEFENDANT COMMUNITY ACTION PROJECT'S
MOTION FOR SUMMARY JUDGMENT**

Defendant Community Action Project of Tulsa County, Oklahoma ("CAP") hereby moves for the entry of summary judgment, pursuant to the provisions of Rule 56 Fed.R.Civ.P., determining all of plaintiffs' claims in favor of CAP. The undisputed evidence, including the sworn testimony, affidavits, and documentary evidence submitted herewith, establish that no federal or state constitutional violations occurred, that the medical examinations at issue were conducted with parental consent and that no harm to the parent-child relationship or to the children occurred.

The argument and authorities in support of this motion are set forth in the simultaneously-filed Defendant Community Action Project's Brief in Support of Motion for Summary Judgment.

167

D/B

CF

Respectfully submitted,

William S. Helfand
MAGENHEIM BATEMAN & HELFAND, P.L.L.C.
3600 One Houston Center
1221 McKinney Street
Houston, Texas 77010
(713) 609-7881
(713) 609-7777 [Fax]

- and -



John E. Dowdell, OBA #2460
Christine D. Little, OBA #16677
NORMAN WOHLGEMUTH CHANDLER & DOWDELL
2900 Mid-Continent Tower
Tulsa, Oklahoma 74103
(918) 583-7571
(918) 584-7847 [Fax]

**ATTORNEYS FOR DEFENDANT COMMUNITY
ACTION PROJECT OF TULSA COUNTY,
OKLAHOMA**

CERTIFICATE OF MAILING

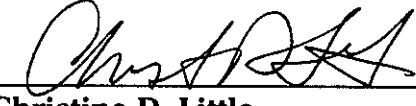
I hereby certify that on the 28th day of December, 2000, a true and correct copy of the above and foregoing instrument was mailed, with proper postage thereon, to:

Christopher W. Goree, Esq.
Jack Y. Goree, Esq.
GOREE & GOREE, P.C.
6901 South Yorktown, Suite E
Tulsa, Oklahoma 74136

Michael Pearce Atkinson, Esq.
Eric James Begin, Esq.
Marthanda J. Beckworth, Esq.
Roni Sue Rierson, Esq.
ATKINSON HASKINS NELLIS BOUDREAUX HOLEMAN
PHIPPS & BRITTINGHAM
525 South Main, Ste. 1500
Tulsa, Oklahoma 74103

Mr. J. Douglas Mann
Attorneys at Law
525 South Main, Suite 700
Tulsa, Oklahoma 74103-4508

Scott B. Wood
WHITTEN, MCGUIRE, WOOD, TERRY,
ROSELIUS & DITTRICH
3600 First Place Tower
15 East Fifth Street
Tulsa, Oklahoma 74103



Christine D. Little